

4VAC15-90-231

Game: Deer: Validating tags and checking deer by licensee or permittee.

Summary:

The proposal is to (i) address electronic deer tags and reporting deer using the eNotch feature of the Department's GoOutdoorsVA smartphone application, (ii) remove text related to checking, check stations, and check cards, (iii) simplify wording where possible and break the regulation into a simpler and more logical order, and (iv) amend the section on mandatory disease testing to include mandatory drop off of deer heads from designated areas on designated days.

Proposed language of amendment:

4VAC15-90-231. Validating tags and ~~checking~~ reporting deer by licensee or permittee.

A. Any person killing a deer shall, before removing the carcass from the place of kill, validate an appropriate tag on ~~his~~ their special license for hunting deer and turkey, bonus deer permit, or special permit by completely removing the designated notch area from the tag or by electronically notching a tag and reporting the deer using the department's mobile harvest reporting application. Place of kill shall be defined as the location where the animal is first reduced to possession. It shall be unlawful for any person to validate (notch) a deer tag from any special license for hunting deer and turkey, bonus deer permit, or special permit prior to the killing of a deer. A deer tag that is mistakenly validated (notched) prior to the killing of a deer must be immediately voided by the licensee or permittee by writing, in ink, the word "VOID" on the line provided on the license tag. All electronically notched tags are permanent and cannot be voided.

B. Upon killing a deer and validating (notching) a license tag, bonus deer permit or special permit, as provided in subsection A of this section, the licensee or permittee shall, upon vehicle transport of the carcass or at the conclusion of legal hunting hours, whichever occurs first, and without unnecessary delay, ~~present the carcass and validated (notched) license tag, bonus deer permit or special permit to an authorized checking station or to an appropriate representative of the department in the county or adjoining county in which the deer was killed or~~ report the kill through the department's automated harvest reporting system. ~~All deer killed after the first Saturday in January (as prescribed in 4VAC15-90-10 and 4VAC15-90-70) must be checked by telephone or Internet.~~ At such time, the person ~~checking or~~ reporting the carcass will be given a ~~game check card furnished by the department or a~~ confirmation number ~~from the automated reporting system~~. The successful hunter shall then immediately record the ~~game check card number or~~ confirmation number, in ink, on the line provided on the tag that was validated (notched) in the field. ~~If checked at a big game check station, the game check card must be kept in possession with the carcass until the carcass is processed. If the carcass is left unattended, the game check card must be securely attached to the carcass.~~

C. ~~If After~~ the kill is reported ~~using the automated harvest reporting system~~, no ~~check card written documentation~~ is required as long as the hunter who killed the animal is in possession of the carcass. If the ~~automated harvest~~ reported carcass is left unattended or transferred to the possession of another individual, written documentation including the successful hunter's full name, the date the animal was killed, and the confirmation number must be created and kept in possession with the carcass until the carcass is processed. If the carcass is left unattended, this written documentation must be securely attached to the carcass. ~~Processed carcass parts of a deer killed legally in Virginia may be transported; however, upon request of any authorized law enforcement officer, sufficient verbal or written information necessary to properly establish legal possession must be furnished immediately.~~

~~ED.~~ It shall be unlawful for any person to destroy the identity of the sex of any deer killed unless and until the license tag, bonus deer permit or special permit is validated (notched) and checked reported as required by this section. Successful deer hunters are allowed to dismember the carcass to pack it out from the place of kill, after an appropriate license tag has been validated (notched) as required in subsection A of this section, as long as they do not destroy the identity of the sex and all the parts of the carcass are present when the deer is ~~checked at a big game check station or reported through the automated harvest reporting system. Any deer found in the possession of any person without a validated (notched) license tag or documentation that the deer has been checked (via a big game check station or the automated harvest reporting system) as required by this section shall be forfeited to the Commonwealth to be disposed of as provided by law reported.~~

E. Processed carcass parts of a deer killed legally in Virginia may be transported. However, upon request of any authorized law-enforcement officer, sufficient verbal or written information necessary to properly establish legal possession must be furnished immediately.

F. Any deer found in the possession of any person without a validated (notched) license tag or documentation that the deer has been reported as required by this section shall be forfeited to the Commonwealth to be disposed of as provided by law.

~~DG.~~ Upon killing a deer within an area designated by the department for deer disease management and on days designated by the department, the licensee or permittee shall present the carcass, ~~on the day of kill,~~ at, or submit carcass parts or samples as directed by the department to, a location designated by the department for the purposes of disease surveillance or biological monitoring.

Rationale:

eNotch. The proposal will address electronic deer tags and reporting deer using the eNotch feature of the Department's GoOutdoorsVA smartphone application.

Check stations and check cards. The proposal removes all references and text related to physical check stations and check cards. The Department of Wildlife Resources (DWR) plans to transition to 100% electronic harvest reporting starting September 1, 2021 at the beginning of the 2021-22 hunting season. All hunters (including those who are not required to purchase a license) who harvest a deer next fall will need to report their harvest by calling DWR (866-GOT-GAME), logging on to gooutdoorsvirginia.com, or by using the eNotch option of the GoOutdoorVA mobile phone application (free though the app store).

Mandatory harvest reporting, a cornerstone of DWR's game management program for more than 70 years, will remain vital for game management in Virginia for many years to come. Thus, it is critical that every hunter report their harvest using one of the electronic reporting systems. Since 2004 DWR has offered some form of electronic reporting, and beginning in 2019 electronic reporting options were available for all species for which reporting is required. In fall 2019, 86% of all deer, 93% of fall turkeys, 100% of spring turkeys, 100% of bobcats, and 58% of all bears were reported through an electronic reporting system.

Format. Over the past several decades changes to this regulation (transportation of processed parts, forfeiture, etc.) have become embedded in unrelated sections. Changes in format made in this version do not change the meaning of the regulation but make it more intuitive and readable.

Mandatory Disease Submission. For most of the past decade, the Department has required deer hunters in CWD positive or at risk areas to bring their deer to mandatory CWD sampling stations staffed by DWR staff and volunteers on designated days; typically the first and/or second Saturday of the firearms deer season. Staff would like to broaden this disease testing in CWD areas to include the mandatory dropping off of deer heads at unmanned collection sites set up in designated areas on designated days/seasons.